DRUGS AND ALCOHOL POLICY (POL032)

1 PURPOSE

Through the adoption of this Policy the Company wishes to:

- Ensure that any Drugs and Alcohol use does not undermine the Company's commitment to the provision of a safe, healthy and productive workplace for all Company's employees, clients, contractors, suppliers, candidates and business partners;
- Provide a safe and healthy workplace environment under the Health and Safety in Employment Act 1992 and any of its amendments;
- Clarify the Company's expectations and requirements for managing Drugs and Alcohol use or abuse in the workplace;
- Identify problems at the earliest possible stage and therefore minimise risks to the health and safety of the relevant person and potentially safeguard the health and safety of others;
- Enable the Company to respond to situations where Drugs and Alcohol pose a threat to the health, safety, wellbeing and performance of its workforce.

2 AUDIENCE/APPLICATION

This Policy applies to all Beyond Services Ltd (trading as Beyond Recruitment) and Starfish Consulting Ltd employees, temporary employees, contractors, candidates, clients, suppliers, business partners and visitors (e.g. children of staff), during and outside of working hours.

3 DEFINITIONS

The Company: refers to Beyond Services Ltd (trading as Beyond Recruitment), Starfish Consulting Ltd and any other company which is part of the Beyond Holdings Ltd group of companies.
Corporate Function: refers to a function arranged by a relevant manager for employees, candidates or clients (e.g. contractor Christmas function, staff Thursday drinks).
Alcohol: means any fermented, distilled, spirituous liquor or beverage that contains ethyl alcohol (ethanol) including, but not limited to spirits, wine, ale, beer, porter, honeymead, stout, cider, sherry and port.
Drugs: refers to illegal drugs (synthetic or natural) that fall within the definition of "controlled drug" as set out in section 2 of the Misuse of Drugs Act 1975 and any of its amendments, or misuse of prescribed or over-the-counter medication.

Serious Misconduct: usually means some form of deliberate wrongdoing. However, there may be circumstances where an employee acts so carelessly (i.e. gross negligence or recklessness) that it also can amount to Serious Misconduct. For the purpose of this Policy, Serious Misconduct examples are as follows:

- An employee is observed, or following an investigation is found, to have been making, selling, purchasing, transferring, distributing, using, consuming or possessing Drugs at work;
- An employee is observed, or following an investigation is found, to have been making, selling, purchasing, transferring or distributing Alcohol at work;
- An employee tampers with, substitutes or attempts to interfere with the specimen integrity or collection procedures;
- An employee refuses to consent to a Drugs and/or Alcohol test without a reasonable explanation;
- Any other situation where the employee's conduct, during or outside of working hours, in relation to Drugs and/or Alcohol, results in a breakdown of trust and confidence in the employment relationship.

Drugs and Alcohol Effects: Drugs and Alcohol consumption can potentially have an adverse effect on an individual's perception, mood, judgment and response to workplace situations (e.g. dizziness, fatigue, drowsiness, loss of coordination).

4 POLICY STATEMENT

The Company is committed to eliminating the risks that Drugs and Alcohol pose to the safety of our employees and workplace.

Drugs and Alcohol are considered to be potential threats to the Company and its employees because of its Effects.

The Company has zero tolerance for any person who is at work under the influence of Drugs or Alcohol (whether within the Company offices or while working remotely). Every person who undertakes any kind of work for the Company, whether an employee or not, is expected to be fit for work and be able to perform assigned duties safely and acceptably; i.e. be free of the influence of Drugs or Alcohol. Where appropriate, the absence from work, resulting from the influence of Drugs or Alcohol, will be registered as either sick leave, annual leave or leave without pay, at the discretion of the manager.

The Company strictly prohibits the use, making, sale, purchase, transfer, distribution, usage, consumption or possession of Drugs. To this end, the Company reserves the right to conduct searches for Drugs, including, but not limited to, searches of lockers, filing cabinets, desks, packages, etc. which are on Company premises. Any Drugs found as a result of such a search can be confiscated.

The Company strictly prohibits making, sale, purchase, transfer or distribution of Alcohol on Company's premises. To this end, the Company reserves the right to conduct searches for Alcohol, including, but not limited to, searches of lockers, filing cabinets, desks, packages, etc. which are on Company premises. Any Alcohol found as a result of such a search can be removed by the Company.

The Company permits moderate consumption of Alcohol (but not Drugs) at times clearly defined and permitted by the management (e.g. casual drinks, staff gatherings, corporate functions).

Any non-compliance with this Drugs and Alcohol Policy can lead to the Company invoking a Disciplinary Procedure (defined below), which, amongst other remedies, can lead to suspension or termination of employment.

5 RESPONSIBILITIES

The Company will ensure fair and equitable application of this Policy.

All employees are required to assist the Company with identification of any concerns relating to Drugs and Alcohol Effects on an individual's ability to perform their duties and take appropriate steps to assist with the removal of the affected person (or self-removal) from Company's premises.

If reasonably possible, the Company will assist employees who have a substance abuse problem to get well.

The Company reserves the right to request and perform justifiable cause, post incident/accident and random Drugs and Alcohol testing. Employees are expected to give consent to the Company's reasonable requests for Drugs and Alcohol testing.

All Company's employees, clients, contractors, suppliers, candidates and business partners are responsible for reporting to the appropriate manger:

- Any use of medicinal drugs which has the potential to adversely affect an individual's perception, judgment and response to workplace situations (the employees who are prescribed medication are required to ask their doctor if the medication could have any potential negative effect on their job performance);
- Any situations or suspected situations (no matter how minor or uncertain) where incorrect use of Drugs or Alcohol is involved;
- If they believe they may have a Drugs or Alcohol problem and need assistance with rehabilitation.

The managers are:

- Equally bound by the requirements of this Policy;
- Responsible for ensuring all employees directly reporting to them are aware of and understand this Policy;
- Required to give clear guidance to employees as to when it is permitted to consume moderate amounts of Alcohol.

6 DISCIPLINARY PROCEDURE

For the purpose of this Policy, Disciplinary Procedure refers to an action that is taken in relation to identified breaches of this Policy, potentially deemed to be Serious Misconduct, which in turn could lead to termination of employment.
The steps of a Disciplinary Procedure are as follows:

- Any particular concern or complaint will be appropriately assessed (i.e. review of documents or brief conversation with someone who saw what happened or the employee who might be disciplined) to determine if it is sufficiently serious to require the invocation of this Disciplinary Procedure;
- At the outset, the employee will be provided with all of the relevant information (e.g. documents), the reasons why the Company is concerned and the possible consequences the employee could be facing (e.g. a warning or dismissal);
- The employee will be invited to a meeting to provide a response. The employee will have enough time before the meeting to consider the information provided and to prepare their response (orally and/or in writing). The employee will be advised who is coming to the meeting and will have the right to bring a support person or representative with them;
- The Company will listen to the employee's response with an open mind. If the Company disagrees with the employee's response, the Company, when ready, will say so and will provide the reasons for the disagreement;
- Both the Company and employee should keep a written record of all discussions, agreements and meetings held;
- If further investigation is needed, the employee should be given an opportunity to comment on any new information that comes out of that further investigation. It may be necessary to meet again;
- Once the Company has all of the relevant information, the Company can decide whether the employee has committed misconduct or Serious Misconduct;
- The Company will then consider what action to take, if any. The Company will consider any matters that could be relevant to what action it takes (e.g. long-serving employee with a clean record), possible alternatives to disciplinary action, and any other appropriate assistance that might be provided to help prevent a recurrence (e.g. training or supervision). If the employee has not had an opportunity to comment on the outcome (e.g. dismissal or disciplinary action) it might be necessary to have another meeting to hear and consider what they have to say;

- In serious or complex situations, the Company can provide the employee with a 'preliminary decision' (including details of any proposed disciplinary action), and to allow the employee to comment on it before a final decision is made. The Company will consider the employee's comments with an open mind before making a final decision;
- Once the Company has reached a final decision, the Company will tell the employee and provide reasons for the decision. This will be done in a respectful and sensible manner;
- If the decision is to dismiss and there is no Serious Misconduct, the employee will be given notice in accordance with his or her employment agreement;
- If the employee is to be dismissed for Serious Misconduct, the Company does not have to give notice but may choose to do so anyway.

7 RELATED DOCUMENTATION

- Individual Employment Agreement;
- POL010 - Health and Safety Policy;
- POL010_BY_CT - Contractor and Temporary Employee Health and Safety Policy;
- POL010_SF_A - Associate Health and Safety Policy;
- POL023 - Remote Working and Working from Home Policy;
- POL029 - Disciplinary Policy;
- POL035 - Leave Policy;
- POL037 - Respect and Dignity at Work Policy;
- POL038 - Safe Driving Policy.

8 APPROVAL

Liza Viz, CEO (Beyond Services) **John Lacey, CEO (Starfish Consulting)**

Date: 14-07-2017